



123 Tice Boulevard, Suite 205
Woodcliff Lake, New Jersey 07677
Phone 201.930.9890
Fax 201.930.9805

April 8, 2016

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 57 – March 2016
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report (MPR) for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by NCG Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

1. Actions Taken to Comply with Settlement Agreement during Previous Month

- Comments on the NCG's conceptual FS field program schedule and a request for written responses to USEPA's comments on the RI/FS schedule (e-mails dated February 8 and February 11) were provided by USEPA on March 1. Responses to these comments were provided via e-mail to USEPA on March 2. Additional comments on the March 2 responses were provided via e-mail by USEPA on March 16.
- Comments on the October 1, 2015 background presentation response matrix were provided via e-mail by USEPA on March 1.
- USEPA sent an e-mail on March 2 indicating that USEPA again considers the geochronology evaluation a time-critical technical issue for discussion and resolution prior to initiating preparation of the draft RI Report. USEPA originally identified geochronology as a time-critical technical issue on January 14. On February 8, USEPA indicated it no longer considered geochronology a time-critical technical issue.
- A request for information pertaining to the estimation of net sedimentation rates for the Study Area was provided via e-mail by USEPA on March 3. The list of information used in the NCG evaluation was provided via e-mail to USEPA on March 7. The data and reports identified in the March 7 list were submitted via e-mail to USEPA on March 25.
- A project update meeting was held with USEPA in New York City on March 3. Technical topics discussed during this meeting included: 1) response to USEPA request for National Grid surface sediment data evaluation; 2) USEPA-led discussion of additional biota tissue sampling; 3) NCG response to USEPA's reference area evaluation request and the City of New York's January 14 toxicity presentation to USEPA; 4) discussion of the City of New York's letter to USEPA on the proposed RI/FS schedule; and 5) the City of New York's combined sewer overflow (CSO) pilot flow data and updated point sources model.
- On March 8, as a follow-up to the February 17 shoreline erosion discussion, USEPA provided example areas where possible shoreline sampling should be considered.
- Comments on the *Phase 2 Field Program – QAPP/FSAP Deviation Memorandum No. 14* were provided via e-mail by USEPA on March 8.

- Comments on the October 1, 2015 nonaqueous phase liquid (NAPL) presentation response matrix were provided via e-mail by USEPA on March 11.
- Backup information for the National Grid surface sediment data evaluation that was discussed during the March 3 project update meeting was submitted via e-mail to USEPA on March 14.
- Comments on the November 11, 2015 groundwater presentation response matrix were provided via e-mail by USEPA on March 15. Responses to these comments were submitted via e-mail to USEPA on March 31.
- Comments on the September 11, 2015 point sources presentation response matrix were provided via e-mail by USEPA on March 16.
- An e-mail indicating that the current RI Report submittal date may need to be extended beyond November 15, 2016 due to the geochronology evaluation—a time-critical technical issue that was not resolved by February 29—was submitted to USEPA on March 16.
- Presentation materials for the April 7 Modeling Workshop No. 8 were submitted via e-mail to USEPA on March 17.
- Comments on the Phase 1 geochronology evaluation response matrix were provided via e-mail by USEPA on March 18.
- Additional NAPL Category 1A information was requested by USEPA on March 16. A response to this request was provided via e-mail to USEPA on March 18.
- Chemistry results for the Phase 2 split samples collected by USEPA were provided via e-mail by USEPA on March 22.
- Comments on the October 22, 2015 air presentation response matrix were provided via e-mail by USEPA on March 22.
- A response to the USEPA request to identify CSO details included in the City of New York's March 3 presentation that differed from the specifications previously provided by the New York City Department of Environmental Protection (NYCDEP) as part of the point sources sampling program was submitted via e-mail to USEPA on March 25.
- Comments on the draft *Baseline Human Health Risk Assessment* (BHHRA) were provided via email by USEPA on March 29.

- Comments on the surface water presentation response matrix were provided via email by USEPA on March 31.
- The draft *Modeling Approach Memorandum No. 3* was submitted via e-mail to USEPA on March 31.

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- Groundwater level data that were used to develop the groundwater contour maps presented in the December 4, 2015 Modeling Workshop No. 7 were submitted via e-mail to USEPA on March 17.
- Data that were used to evaluate net sedimentation rates (including a geodatabase, RI Phase 1 and Phase 2 radiochemistry, historical dredging documents, and bathymetry data files) were transmitted via SharePoint to USEPA on March 25.
- Validation and quality control review of the following data were completed, and these datasets are included on the enclosed CD as part of this MPR:
 - Point sources wet-weather Event 15 (December 17, 2015). Laboratory and validation reports are also included for point sources samples collected at City of New York locations.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The NCG has repeatedly requested information from the City of New York that is needed to complete the RI/FS. An updated listing of these requests is provided as an attachment to this MPR.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- Responses to USEPA comments on the draft BHHRA are due to USEPA on or before April 28.

- USEPA comments on the draft *Baseline Ecological Risk Assessment* are expected in April.
- Project update meetings are scheduled with USEPA in New York City on April 7 and May 19. Modeling Workshop No. 8 is also scheduled with USEPA on April 7.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Quadrini", with a stylized flourish at the end.

Jim Quadrini, P.E., BCEE
Anchor QEA, LLC

Attachments

- CD containing validated Phase 2 data
- An updated New York City Data Request listing

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
Edward Leonard, CDM Smith

New York City Data Request

Item No.	Date Requested	Information Needed	Information Type (Data, Document, Model)	Status as of 4/8/2016	Reason for Request
1	9/10/2012 ¹	Data from monitored/telemetered combined sewer infrastructure that discharges to Newtown Creek, including NCB-015	Data	<p>Not Provided. NYC indicated that they would provide analysis and data from 12 months of data collection (April 1, 2014 to March 31, 2015) on August 15, 2015, and that other data from previous years would be provided at that time as well.</p> <p>NYC provided an update on July 10 and as a follow up to that call NCG reiterated their request for the following data:</p> <ol style="list-style-type: none">1. Raw CSO flow metering data2. Processed (“triangulated”) flow metering data used to re-calibrate the point source model<ol style="list-style-type: none">a. Any additional data (besides raw flow metering data) used to generate the “triangulated” data3. Detailed description of method used to generate the “triangulated” data4. Updated geo-neutral point source model<ol style="list-style-type: none">a. Detailed description of:<ol style="list-style-type: none">i. Re-calibration procedure and resultsii. Changes made to the geo-neutral model as a result of the re-calibration processb. Revised input and output files <p>In December 2015, NYC indicated they would provide this information in mid-January 2016.</p> <p>NYC provided a presentation on March 3, 2016, and indicated they would provide this information the week of March 7. The NCG has provided a follow-up list of information that is still needed in order to review requested data.</p>	<p>This information is required to evaluate combined sewer discharges to the creek and support the modeling effort.</p>
5	9/10/2012 ¹	<ol style="list-style-type: none">a. Available CSO/SSO flow monitoring data, along with data used in the modeling for the Long-term Control Plan (including flow data for BB-026 and any additional locations that discharge to Newtown Creek that are available)b. A status update on NYC CSO flow metering program and a detailed schedule for completion of activities and transfer of data	Data		<p>This information is required for model calibration—flow data will be used in conjunction with other variables to evaluate hydro model performance. Flow data will also be used to inform the sampling effort and approach.</p>

New York City Data Request

Item No.	Date Requested	Information Needed	Information Type (Data, Document, Model)	Status as of 4/8/2016	Reason for Request
21	2/19/2015	<p>Records related to groundwater seepage or withdrawals in the Newtown Creek Watershed associated with New York City infrastructure; categories include the following:</p> <ul style="list-style-type: none">– Dewatering of the subway system– Groundwater seepage into CSOs– Other groundwater dewatering <p>1. Infiltration and Inflow Analysis. Bowery Bay Water Pollution Control Plant (WPCP). Task 1 of the Flushing Bay Water Quality Facility Plan. Prepared by URS Consultants, Inc. for NYCDEP, Bureau of Water Pollution Control. September 1986.</p> <p>2. Bowery Bay WPCP Interim Report. Task 11.6 of the Flushing Bay Sewer System Evaluation Survey. Prepared by URS Consultants, Inc. for NYCDEP. March 1990.</p> <p>3. Bowery Bay WPCP Final Report. Task 13.5 of the Flushing Bay Sewer System Evaluation Survey. Prepared by URS Consultants, Inc. for NYCDEP, Division of CSO Abatement. September 1992.</p> <p>4. For the 54th and Vernon, Nostrand/Newkirk, Marcy Crosstown, and Pitkin pumping stations and any other pumping stations that are either located or pump water from Brooklyn and Queens subways within 2.5 miles of Newtown Creek please provide the following:</p> <ul style="list-style-type: none">- Location of the pump station- Description of or map showing the portion of the subway that is "drained" by each pump station- Typical long term average pumping rates- Location of discharge to the sewer or surface water <p>5. Depths, dimensions, and elevations of subway tunnels within 2.5 miles of the creek and any geologic information that has been collected along subway lines (for example during construction)</p> <p>6. Depths, dimensions, elevations, and typical operating pressure of the pipe conveying sewage under the East River from Manhattan to the Newtown Creek WWTP, as well as any geologic information that has been collected (for example during construction) along the pipe</p>	Data Document	<p>Partially Provided. NYCDEP provided responses regarding subway and building/utility dewatering and industrial water supply; however, they indicated that they will provide other updates at a later date. NYC also indicated that they were reviewing other reports responsive to the request. NYCDEP most recently indicated information would be available in February 2016 but no information was provided.</p>	This information is required to support the groundwater evaluation.
23	12/22/2015 and 2/8/2015	<p>Information regarding NYCDEP At-risk Ebullition Survey information, including the Field Sampling Plan, a map for each individual survey, and additional information and questions (18 items) requested in February 8, 2016 e-mail from Anchor QEA to USEPA.</p>	Data Document	<p>Partially Provided. NYCDEP provided an SOP for the field work, a combined map of surveys, photographs, tables, and a presentation. Other requested information has not been provided. Additional information was provided on April 5, 2016, including a partial record of individual surveys. However, certain requested information was not provided, including data for three individual surveys, the QAPP, and an explanation of booms/anchor lines apparently deployed during the NYC sheen survey.</p>	USEPA is requesting the additional information to allow Anchor QEA to complete a comparison of its ebullition survey results with the NYCDEP survey results.

Notes:

1 = In some cases, the request has been updated to be more specific or include more recent information that became available since the previous request.

BB = Bowery Bay

CSO = combined sewer overflow

NCB = Newtown Creek Brooklyn

NCG = Newtown Creek Group

NYC = New York City

NYCDEP or DEP = New York City Department of Environmental Protection

SOP = standard operation procedure

SSO = sanitary sewer overflow

USEPA = U.S. Environmental Protection Agency

WPCP = Water Pollution Control Plant

WWTP = wastewater treatment plant